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8

9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. **2010-276**

13 **PATRICIA LYNNE MURPHY**
aka PATRICIA LYNNE RINON
14 **aka PATRICIA LYNNE NORDBERG**
946 W. Alamos Avenue
15 Fresno, California 93705

A C C U S A T I O N

16 Registered Nurse License No. 538650

17 Respondent.
18

19 Louise R. Bailey, M.Ed., RN ("Complainant") alleges:

20 **PARTIES**

21 1. Complainant brings this Accusation solely in her official capacity as the Interim
22 Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer
23 Affairs.

24 2. On or about November 19, 1997, the Board issued Registered Nurse License
25 Number 538650 to Patricia Lynne Murphy, also known as Patricia Lynne Rinon and Patricia
26 Lynne Nordberg ("Respondent"). The license was in full force and effect at all times relevant to
27 the charges brought herein. The license will expire on or about December 31, 2009, unless
28 renewed.

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1 (e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any
2 hospital, patient, or other record pertaining to the substances described in subdivision (a) of this
3 section."

4 COST RECOVERY

5 7. Code section 125.3 provides, in pertinent part, that the Board may request the
6 administrative law judge to direct a licensee found to have committed a violation or violations
7 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
8 enforcement of the case.

9 DRUGS

10 8. "Morphine" is a Schedule II controlled substance as designated by Health and
11 Safety Code section 11055(b)(1)(M).

12 9. "Demerol," a brand of meperidine hydrochloride, a derivative of pethidine, is a
13 Schedule II controlled substance as designated by Health and Safety Code section 11055(c)(17).

14 10. "Vicodin" is a compound consisting of 5 mg. hydrocodone bitartrate also known
15 as dihydrocodeinone, a Schedule III controlled substance as designated by Health and Safety
16 Code section 11056(e)(4), and 500 mg. acetaminophen per tablet.

17 11. "Nubain," a brand of nalbuphine hydrochloride, is a dangerous drug within the
18 meaning of Business and Professions Code section 4022 in that it requires a prescription under
19 federal law.

20 SELMA COMMUNITY HOSPITAL

21 FIRST CAUSE FOR DISCIPLINE

22 (Obtained, Possessed, and Self-Administered Controlled Substances)

23 12. Respondent is subject to discipline under Code section 2761(a), on the grounds of
24 unprofessional conduct as defined in Code section 2762(a), in that between March 1, 2003, and
25 March 17, 2003, while a registered nurse at Selma Community Hospital, Selma, California,
26 Respondent did the following:

27 a. Respondent obtained Morphine and Demerol, controlled substances, by fraud, deceit,
28 misrepresentation or subterfuge or by the concealment of a material fact in violation of Health

1 and Safety Code section 11173(a), by removing Morphine and Demerol from their containers
2 using a needle and syringe, and replacing it with saline.

3 b. Respondent possessed Morphine and Demerol, controlled substances, in violation of
4 Code section 4060, in that she did not have a prescription for those controlled substances.

5 c. Respondent self-administered Morphine and Demerol, controlled substances, without
6 direction to do so from a licensed physician and surgeon, dentist or podiatrist.

7 SECOND CAUSE FOR DISCIPLINE

8 (Use of a Controlled Substance)

9 13. Respondent is subject to discipline under Code section 2761(a), on the grounds of
10 unprofessional conduct as defined in Code section 2762(b), in that while on duty as a registered
11 nurse at Selma Community Hospital, Selma, California, Respondent used controlled substances,
12 as set forth above in paragraph 12, to an extent or in a manner dangerous or injurious to herself,
13 any other person, or the public or to the extent that such use impaired her ability to conduct with
14 safety to the public the practice authorized by her license.

15 CENTRAL VALLEY GENERAL HOSPITAL

16 THIRD CAUSE FOR DISCIPLINE

17 (Falsified, Made Incorrect or Inconsistent Entries in Hospital or Patient Records)

18 14. Respondent is subject to discipline under Code section 2761(a), on the grounds of
19 unprofessional conduct as defined in Code section 2762(e), in that while employed as a
20 registered nurse by Elite Care Medical Staffing (registry), and on assignment at Central Valley
21 General Hospital, Hanford, California, Respondent falsified, or made grossly incorrect, grossly
22 inconsistent, or unintelligible entries in hospital or patient records in the following respects:

23 Patient A:

24 a. On or about January 7, 2008, at 0334 hours, Respondent signed out one (1) 10 mg.
25 ampule of Nubain, wasted 5 mg., but failed to account for the disposition of the remaining
26 5 mg. of Nubain in any hospital or patient record.

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1 b. On or about January 7, 2008, at 0016 hours, Respondent signed out two (2) tablets
2 of Vicodin, but failed to account for the disposition of the Vicodin in any hospital or patient
3 record.

4 **Patient D:**

5 c. On or about January 7, 2008, at 0245 hours, Respondent signed out two (2)
6 Vicodin tablets, but failed to account for the disposition of the Vicodin in any hospital or patient
7 record. Furthermore, Respondent was not assigned to care for this patient.

8 d. On or about January 7, 2008, at 0651 hours, Respondent signed out two (2)
9 Vicodin tablets, but failed to account for the disposition of the Vicodin in any hospital or patient
10 record. Furthermore, Respondent was not assigned to care for this patient.

11 **PRAYER**


12 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein
13 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

14 1. Revoking or suspending Registered Nurse License Number 538650, issued to
15 Patricia Murphy, also known as Patricia Lynne Rinon and Patricia Lynne Nordberg;

16 2. Ordering Patricia Murphy, also known as Patricia Lynne Rinon and Patricia Lynne
17 Nordberg to pay the Board of Registered Nursing the reasonable costs of the investigation and
18 enforcement of this case, pursuant to Business and Professions Code section 125.3; and,

19 3. Taking such other and further action as deemed necessary and proper.

20 DATED: 11/24/09

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22 LOUISE R. BAILEY, M.Ed., RN
23 Interim Executive Officer
24 Board of Registered Nursing
25 Department of Consumer Affairs
26 State of California
27 Complainant
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